

REMARKS

Claims 1, 5-11, and 13-31 are now pending. Claims 2-4 and 12 are cancelled without prejudice or disclaimer and claims 21-31 have been added.

The Office Action rejected claims 1, 2, and 11 as being anticipated by United States Patent No. 3,883, 153 to Singh et al. The Office Action rejected claims 1, 2, 3 and 9 as being anticipated by United States Patent No. 6,588,799 to Sanchez. The Office Action allowed claims 13-20 and indicated that claims 4-8, 10 and 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As amended, claim 1 features a suspension for a vehicle. The suspension includes a releasable locking assembly comprising a toothed surface that is moveable with respect to a frame. The releasable locking assembly defines a plurality of selectively actuatable locking states. The plurality of locking states range from a first position to a second position and at least one other position between the first and second positions. The plurality of states are selectively actuatable upon the frame exhibiting a tipping behavior.

The Singh et al. patent and the Sanchez patent do not anticipate amended claim 1, because amended claim 1 includes features that are not shown or suggested by the Singh et al. and Sanchez patents. For example, the Singh et al. and Sanchez patents do not disclose or suggest a locking assembly with a toothed surface that is moveable with respect to a frame. It is respectfully submitted that claim 1 is in condition for allowance.

Applicant respectfully submits that claims 5-10 depend from claim 1 and are also in condition for allowance.

Claim 11 has been amended to include the features of dependent claim 12. The Office Action indicated that claim 12 would be allowed if rewritten in independent form. Applicant respectfully submits that claim 11 is in condition for allowance.

Claims 13-20 are allowed.

If the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner encouraged to contact the undersigned.

Should the Commissioner decide that any fee deficiency is due, the Commissioner is hereby authorized to charge any and all fees incurred as a result of entering this response to Deposit Account No. 03-0172, order number 12873/04325.

Respectfully submitted,

Date: 7/22/05

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